

November 28, 1933

Honorable A. H. Favour,  
Attorney at Law,  
Prescott, Arizona

Dear Mr. Favour:

This will acknowledge receipt of your  
letter of November 9, 1933.

I have had an occasion to more than once  
examine Section 2803, R. C. A. 1928, as amended by  
Chapter 40 of the Laws of 1933. I am of the opinion  
that this section, as it stands, governs the expendi-  
tures of all public officers of the State of Arizona.

I am enclosing herewith a copy of an  
opinion given to the State Auditor, under date of Novem-  
ber 18th, with reference to my interpretation of the  
section.

I direct your attention to the fact that  
said Chapter 40 was, in all probability, not enacted  
in conformity with the Constitutional requirements, in  
that the signature page containing the Governor's sig-  
nature does not contain any other signatures other than  
that of the Clerk of the House. The entire act is con-  
tained on three pages, the first page is the act itself,  
the second page I have numbered and the third page I  
have numbered. You can see for yourself how they appear.

Mandamus undoubtedly will lie to compel  
the Auditor to approve the accounts under Section 2803,  
as it existed prior to the attempted amendment.

Yours very truly,

ATL/OD  
Enc.

Attorney General

33-541